

Message Text

SECRET

PAGE 01 STATE 090980
ORIGIN NODS-00

INFO OCT-01 ISO-00 /001 R

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TO AMEMBASSY TEL AVIV IMMEDIATE
INFO WHITE HOUSE 0129

S E C R E T STATE 090980

NODIS
FOR AMBASSADOR LEWIS FROM SECRETARY

E.O. 11652: XGDS-1

TAGS: MASS, IS, US, LE, MOPS

SUBJECT: CLUSTER BOMB UNITS (CBU'S): RESTRICTIONS ON USE

REF: (A) TEL AVIV 4675

1. AS YOU CORRECTLY POINT OUT, WEIZMAN'S RESPONSE TO QUESTION OF ASSURANCES ON USE OF CBU'S IS NOT GOOD ENOUGH. YOU SHOULD THEREFORE SEEK WRITTEN REAFFIRMATION FROM GOI OF TEXT OF 1976 DINITZ-MCAULIFFE LETTER. THIS COULD TAKE FORM OF NEW LETTER FROM WEIZMAN TO YOU, STATING ISRAEL'S INTENT TO RECONFIRM ITS ASSURANCES AND REPEATING VERBATIM TEXT OF 1976 LETTER (TEXT REPEATED BELOW). IN ADDITION,

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YOU SHOULD SEEK VERBAL ASSURANCES FROM WEIZMAN THAT APPROPRIATE COMMAND LEVELS THROUGHOUT IDF WILL BE MADE AWARE OF STRICT LIMITATIONS ON CBU USE.

2. AT NOON PRESS BRIEFING TODAY WE TOOK QUESTION "DOES THE DEPARTMENT BELIEVE THAT ISRAELI USE OF CLUSTER BOMB UNITS IN SOUTHERN LEBANON IS A VIOLATION OF OUR UNDERSTAND-

ING ON THEIR USE?" ANSWER PREPARED IS "WE ARE INVESTIGATING THE MATTER, BUT HAVE NOTHING FOR YOU AT THIS TIME." IN ADDITION, WE HAVE BEEN TOLD THAT REP. MCCLOSKEY

WHO WAS BRIEFED BY DIA HAS MADE INFORMATION AVAILABLE TO THE PRESS AND A STORY IS LIKELY IN TOMORROW'S NEW YORK TIMES.

3.
BEGIN TEXT OF 1976 DINITZ-MCAULIFFE LETTER:

DEAR MR. MCAULIFFE:

I REFER TO REAR ADMIRAL THOMAS' LETTER OF 8 NOVEMBER 1976, NO. I-24291/76, TO MAJOR GENERAL AVRAHAM ADAN, AND WOULD LIKE TO STATE THAT THE STIPULATIONS AND CONDITIONS WITH RESPECT TO BOTH CBUS AND LASER GUIDED BOMB SYSTEMS ACQUIRED BY MY GOVERNMENT IN THE UNITED STATES ARE ACCEPTABLE TO US. I UNDERSTAND THAT THESE CONDITIONS ARE:

1. CBUS

A) THESE WEAPONS WILL BE USED ONLY IF ISRAEL IS ENGAGED IN ACTIVE GENERAL HOSTILITIES WITH THE REGULAR ARMED FORCES OF ONE OR MORE ARAB STATES AT A LEVEL OF ARMED CONFLICT ON THE SCALE EXPERIENCED DURING JUNE 1967 AND OCTOBER 1973. (TRAINING WITHIN ISRAELI TERRITORY IS EXEMPTED FROM THIS PROVISION.)

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B) THESE WEAPONS WILL BE USED ONLY AGAINST CLEARLY DEFINED MILITARY TARGETS, AND THEY WILL NOT BE USED AGAINST TARGETS LOCATED IN, OR IN CLOSE PROXIMITY TO, CIVILIAN POPULATION CENTERS.

C) THESE CONDITIONS ARE TO BE APPLIED TO ALL CBUS SOLD BY THE UNITED STATES PURSUANT TO THE APPROVED LIST OF EQUIPMENT PROVIDED TO THE GOI IN JANUARY 1976, AS WELL AS TO THOSE PREVIOUSLY SOLD, THOSE WHICH MAY BE SOLD IN THE FUTURE, AND THOSE WHICH MAY BE PRODUCED IN ISRAEL UTILIZING, DIRECTLY OR INDIRECTLY, U.S. COMPONENTS OR TECHNOLOGY.

2. LGB'S

A) THESE WEAPONS WILL BE USED ONLY IF ISRAEL IS ENGAGED IN ACTIVE GENERAL HOSTILITIES WITH THE REGULAR ARMED FORCES OF ONE OR MORE ARAB STATES AT A LEVEL OF ARMED CONFLICT

ON THE SCALE EXPERIENCED DURING 1967 AND OCTOBER 1973.

(TRAINING WITHIN ISRAELI TERRITORY IS EXEMPTED FROM THIS PROVISION.)

B) THESE WEAPONS WILL BE USED ONLY AGAINST CLEARLY DEFINED MILITARY TARGETS.

C) THESE CONDITIONS ARE TO BE APPLIED TO ALL LASER GUIDED BOMB SYSTEMS SOLD BY THE UNITED STATES PURSUANT TO THE APPROVED LIST PROVIDED TO THE GOI IN JANUARY 1976 AS WELL AS THOSE WHICH MAY BE SOLD IN THE FUTURE, AND THOSE WHICH MAY BE PRODUCED IN ISRAEL UTILIZING, DIRECTLY OR INDIRECTLY, U.S. COMPONENTS OR TECHNOLOGY.

SINCERELY YOURS,
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SIMCHA DINITZ
AMBASSADOR

END TEXT. VANCE

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NNN

Message Attributes

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Draft Date: 08 apr 1978
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Disposition Date: 20 Mar 2014
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